

Customer No.	026418
Prepared from FORM PTO-1390	
Transmittal Letter to the United States Designated/Elected Office (DO/EO/US)	
Page 1	
Attorney's Docket No.:	GK-OEH-255/500814.20157
U.S. Application No.:	
International Application No.:	PCT/DE2005/000588
International Filing Date:	MARCH 31, 2005
Priority Date Claimed:	MARCH 31, 2004
Title of Invention:	SPECTRAL PHOTOMETRY METHOD FOR DETERMINING THE OXYGEN SATURATION OF THE BLOOD IN OPTICALLY ACCESSIBLE BLOOD VESSELS
Applicant(s) for (DO/EO/US):	Dr. Walthard VILSER and Dr. Martin HAMMER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- [X] 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- [] 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
- [] 3. This express request to begin national examination procedures [35 U.S.C. 371 (f)]. The submission must include items (5), (6), (9), and (21) indicated below.
- [] 4. The US has been elected (Article 31).
- [X] 5. A copy of **Publication No. WO 2005/094671 13OCT05 the International Application as filed** [35 U.S.C. 371(c)(2)]
 - a) [X] is attached hereto (required only if not communicated by the International Bureau).
 - b) [] has been communicated by the international Bureau.
 - c) [] is not required, as the application was filed in the United States Receiving Office (RO/US)
- [X] 6. An English language translation of **Publication No. WO 2005/094671 13OCT05 the International Application as filed** [35 U.S.C. 371(c)(2)]
 - a) [X] is attached hereto
 - b) [] has been previously submitted under 35 U.S.C. 154(d)(4).
- [] 7. Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
 - a) [] are attached hereto (required only if not communicated by the International Bureau).
 - b) [] have been communicated by the international Bureau.
 - c) [] have not been made; however, the time limit for making such amendments has **NOT** expired.
 - d) [] have not been made and will not be made
- [] 8. An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)]
- [X] 9. An EXECUTED Oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)]
- [] 10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)]

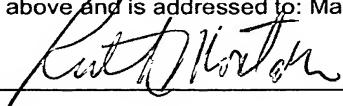
Items 11. to 20. Below concern other document(s) or information included:

- [X] 11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98
- [X] 12. An Assignment document to **IMEDOS GmbH** for recording. A separate cover sheet (PTO-1595) in compliance with 37 CFR 3.28 and 3.31 is included.
- [X] 13. A **preliminary amendment**
- [] 14. An Application Data Sheet under 37 CFR 1.76
- [X] 15. A **substitute specification with abstract (attached to the preliminary amendment)**
- [] 16. A change of power of attorney and/or address letter
- [] 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
- [] 18. A second copy of the published International Application under 35 U.S.C. 154 (d)(4).
- [] 19. A second copy of the English language translation of the International Application under 35 U.S.C. 154 (d)(4).
- [X] 20. (other items or information) **Search Report: PCT/ISA/210 03AUG05, PTO-1449 w/4 Foreign documents, article and 10 U.S. 1st pages.**

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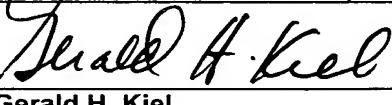
Deposited: September 28, 2006

I hereby certify that this correspondence is being deposited with the United States Postal Service Express mail under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 1450


/Ruth Montalvo Date: September 28, 2006

U.S. Application No. (if known) 37 CFR 1.50:
 International Application No.: 10/7594871

Attorney's Docket No: GK-OEH-255/500814.20157

The following fees are submitted:					Applicant use	Office use only
<input checked="" type="checkbox"/> 21 Basic national fee (37 CFR 1.492(a)) \$ 300.00 <input checked="" type="checkbox"/> 22 Examination fee (37 CFR 1.492(b)) If the written opinion prepared by ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Articles 33(1)-(4) \$ 0.00 All other situations.....\$200.00					\$ 300.00	
<input checked="" type="checkbox"/> 23 Search fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Articles 33(1)-(4) \$ 0.00 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100.00 International Searching Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by IB \$400.00 All other situations.....\$500.00					\$ 200.00	
TOTAL OF ABOVE CALCULATIONS:					\$1,000.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (b) or computer program listing filed in an electronic medium) 37 CFR 1.492(j)). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.						
Total sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number.)			Rate	
- 100 =	/50 =				X \$250.00	\$
Surcharge of \$ 130.00 for furnishing the oath or declaration later than 30 month from the earliest claimed priority date (37 CFR 1.492(e))					\$	
Claims	Number Filed		Number Extra		Rate	
Total Claims:	24	- 20	4	X \$ 50.00	\$ 200.00	
Independent Claims:	2	- 3	0	X \$ 200.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)					+ \$ 360.00	\$
TOTAL OF ABOVE CALCULATIONS:					\$1,200.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30 months from the earliest claimed priority date [37 CFR 1.492(e)]					+ \$	
TOTAL OF ABOVE CALCULATIONS:					\$1,200.00	
<input checked="" type="checkbox"/> Applicant claims Small Entity Status [See 37 CFR 1.27] Reduction by ½ for filing by small entity -					\$ 600.00	
SUBTOTAL:					\$ 600.00	
Processing fee of \$130.00 for furnishing the English Translation later than [] 20 [] 30 months from the earliest claimed priority date [37 CFR 1.492(f)]					+ \$	
TOTAL NATIONAL FEE:					\$ 600.00	
Fee for recording the enclosed assignment [37 CFR 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (PTO-1595) [37 CFR 3.28, 3.31]. \$ 40.00 per property					+ \$ 40.00	
TOTAL FEE(S):					\$ 640.00	
AMOUNT TO BE REFUNDED						\$
AMOUNT TO BE CHARGED						\$
<i>(Please note the filing fee is based on the claims in the Preliminary Amendment)</i>						
a) <input checked="" type="checkbox"/>	Check in the amount of \$ 640.00 to cover the above fees is enclosed.					
b) <input type="checkbox"/>	Please charge my Deposit Account No 50-1529 in the amount of \$.00 to cover the fee..					
c) <input checked="" type="checkbox"/>	The Commissioner is hereby authorized to charge any additional fees required with this submission or to credit any overpayment to Deposit Account No: 50-1529.)					
d) <input type="checkbox"/>	Fee are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
<i>NOTE: Where an appropriate time limit under 36 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the application to pending status.</i>						
SEND ALL CORRESPONDENCE TO: Gerald H. Kiel, Esq. Reed Smith LLP (Customer No. 026418) 599 Lexington Avenue New York, NY 10022-7650			Signature:			
			Attorney:	Gerald H. Kiel		
			Reg. No.	25,116		
			Date:	September 28, 2006		